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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RM 9101

Petition for Expedited Rulemaking to  
Establish Reporting Requirements and  
Performance and Technical Standards  
for Operations Support Systems

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**REPLY COMMENTS OF  
ATX TELECOMMUNICATIONS SERVICES, LTD.**

**I. INTRODUCTION**

ATX Telecommunications Services, Ltd. ("ATX"), by its attorneys, hereby files these Reply Comments in support of the Petition filed by LCI International Telecom Corp. and the Competitive Telecommunications Association ("CompTel") to establish performance standards for operations support systems ("OSS") to meet the OSS requirements of the Telecommunications Act of 1996 ("96 Act") and the Commission's First Report and Order in CC Docket No. 96-98 ("Order").

ATX is a certificated competitive local exchange carrier ("CLEC") in Pennsylvania and currently is seeking authority to provide local exchange services throughout the mid-Atlantic region. ATX will be reselling Bell Atlantic's local exchange services in combination with the interexchange services of one or more facilities-based interexchange carriers.

**II. DISCUSSION**

In order to satisfy the mandates of Section 251 and the Order, incumbent local exchange carriers ("ILECs") must provide nondiscriminatory access to OSS functions. This requirement means that ILECs must provide competitors with at least the same quality of service -- *i.e.*, "parity" in access to the ILECs' OSS -- that the ILECs provide to themselves. ATX

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supports the LCI/CompTel Petition's request for an expedited rulemaking to establish OSS standards because, as noted by the petitioners, "notwithstanding the January 1, 1997 deadline set by the Commission, not a single ILEC has . . . demonstrated that it is providing parity of access to its OSS." LCI/CompTel Petition at i. Moreover, the current lack of consensus over what the ILECs' OSS obligations are and what the measurement, reporting and technical criteria should be has stymied competitive entry and has prevented meaningful assessment of any ILEC's attempt at compliance.

ATX agrees with those commenters who observed that local competition will not develop if CLECs cannot receive parity of access to the ILECs' OSS, including pre-ordering, ordering, maintenance and repair services. *See, e.g.,* ACSI Comments. Most importantly, small carriers, such as ATX, will be eliminated from competition if they cannot supply local customers with the same quality and timeliness of service provided by the ILECs. Unless the Commission takes the action requested in the Petition, this will indeed happen because only the largest competitors will have the financial wherewithal to arbitrate and litigate OSS parity issues to favorable resolutions. Thus, ATX believes that the Commission's grant of the Petition is necessary to ensure the development of robust competition from competitors of all sizes. Without appropriate Commission action, consumers will be left to choose from only a few very large "one-stop shopping" service providers -- which is not what Congress intended.

To document the need for Commission action along the lines requested in the Petition, ATX submits that it already has experienced the following problems with Bell Atlantic of PA's OSS:

- Bell Atlantic has yet to develop automated OSS systems capable of providing ATX with the same level of support that it provides itself. The resulting dependence on manual processes has proven to be very error-prone.

*For example, in only 3 months of testing twenty five test accounts, Bell Atlantic mistakenly has cut-over to ATX five customers that never requested service from ATX. This amounts to a 20% error rate by this one measurement alone. Further, these errors resulted in slamming accusations against ATX and damage to ATX's reputation as a telephone carrier and member of the local business community. Furthermore, some test customers who switched to ATX local service lost their presubscribed long distance carrier and, as a result, had their long distance service disrupted. Before ATX can provision any of its business customer base with local service, it must be absolutely certain that they will experience no loss of long distance service.*

- Bell Atlantic has not provided the same timeliness of service to ATX that it provides to itself.

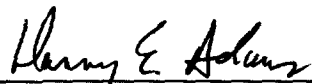
*For example, ATX's requests to cut-over customers to ATX's local service has taken Bell Atlantic an average of 3 to 4 days to fulfil. For its own customers, Bell Atlantic often can activate a prospective customer on the same day a request is made. The effect of these delays is the ATX cannot provide the same timeliness of service that customers obtain from Bell Atlantic, which erodes ATX's ability to compete in the local arena.*

### III. CONCLUSION

For the foregoing reasons, ATX requests that the Commission grant the LCI/CompTel Petition and establish appropriate OSS performance standards on an expedited basis.

Respectfully submitted,

**ATX TELECOMMUNICATIONS  
SERVICES, LTD.**

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